

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LAURIANNA SMITH,

Plaintiff,

v.

ELLEN GREGORY, et al.,

Defendants.

Case No. [23-cv-03648-SI](#)

**ORDER DISMISSING COMPLAINT**

Plaintiff sued against Ellen Gregory, William Eric Meikle, and Christine Bogad, alleging sixteen causes of action, all of which are criminal statutes. Dkt. No. 1. Plaintiff is self-represented and moved for leave to proceed in forma pauperis. Dkt. No. 2. The case was initially assigned to Magistrate Judge Sallie Kim, who granted the motion to proceed in forma pauperis.<sup>1</sup> Dkt. No. 4.

Judge Kim issued a screening order pursuant to 28 U.S.C. § 1915(e)(2), which requires the Court to dismiss a case brought in forma pauperis if the case is frivolous or malicious, fails to state a claim on which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. Dkt. No. 4. In the screening order, Judge Kim found that plaintiff failed to state a claim on which relief could be granted because plaintiff's claims were all brought under criminal statutes, which do not convey a private cause of action. *Id.* at 3–4. Judge Kim also observed that plaintiff's claims were conclusory and speculative. *Id.* at 4. Judge Kim gave plaintiff leave to amend the complaint by August 25, 2023, and ordered that the amended complaint must include “(1) *civil* laws or rights violated by each defendant's conduct and (2) how Plaintiff was specifically harmed without any speculative or conclusory allegations.” *Id.*


---

<sup>1</sup> The case was reassigned to this Court after plaintiff declined magistrate judge jurisdiction. Dkt. No. 6.

1 The deadline to amend the complaint has passed, and plaintiff has not filed an amended  
2 complaint. For all the reasons stated in Judge Kim's order, the complaint fails to state a claim on  
3 which relief can be granted. *See* Dkt. No. 4. Accordingly, the complaint is **DISMISSED WITH**  
4 **PREJUDICE.**

5  
6 **IT IS SO ORDERED.**

7 Dated: August 29, 2023

8   
9 SUSAN ILLSTON  
United States District Judge

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
United States District Court  
Northern District of California